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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
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10 COLLIS MARTIN,

11 Plaintiff,

12 v.

13 JOHN DOE, *et al.*,

14 Defendants.
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Case No. 2:11-CV-00658-KJD-CWH

ORDER

16 Plaintiff filed this action pursuant to 42 U.S.C. § 1983. On August 10, 2011, Magistrate
17 Judge George W. Foley issued an Order and Findings and Recommendations (#5) recommending
18 that Plaintiff's complaint be dismissed with prejudice because the Court does not have jurisdiction to
19 hear appeals from the rulings of a state trial court. Objections to the findings and recommendation
20 were due no later than August 27, 2011. More than the allotted time has elapsed and Plaintiff has not
21 filed objections. Accordingly, this entire action will be dismissed because the Court does not have
22 jurisdiction to hear appeals from the rulings of a state trial court.

23 Furthermore, Court mail addressed to Plaintiff has been returned as undeliverable.
24 Accordingly, even if the Court were not dismissing the action for lack of jurisdiction, the Court
25 would dismiss the complaint against defendants without prejudice in accordance with Local Special
26 Rule 2-2 for Plaintiff's failure to update his current address.

1 Accordingly, **IT IS HEREBY ORDERED** that the Order and Findings and
2 Recommendations (#5) of the United States Magistrate Judge entered August 10, 2011, are
3 **ADOPTED** and **AFFIRMED**;

4 **IT IS FURTHER ORDERED** that Plaintiff's complaint is **DISMISSED** because the
5 Court does not have jurisdiction to hear appeals from the rulings of a state trial court.

6 DATED this 3rd day of October 2011.

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Kent J. Dawson
United States District Judge
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